

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD L. BENISH,

Plaintiff,

vs.

OMAHA POLICE DEPARTMENT,
et al.,

Defendants.

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8:05cv332

ORDER to SHOW CAUSE
(Service of Process)

This matter is before the court sua sponte. Fed. R. Civ. P. 4(m) establishes a time limit for service of process on the defendants in a civil case. In the court's Order on Initial Review directing the issuance of summons forms, the court extended the deadline for service of process to 90 days after entry of that order. The plaintiff was warned that failure to obtain timely service of process on the defendants could result in dismissal of this matter without prejudice. The deadline for service of process has expired, and the court's records show no proof of service of process on any defendant.

THEREFORE, IT IS ORDERED:

1. That by **February 16, 2006**, the plaintiff shall file a pleading entitled Response to Order to Show Cause explaining any reason the plaintiff may have why the above-entitled case should not be dismissed, without prejudice, for failure to obtain timely service of process on any defendant; and

2. That in the absence of a Response to Order to Show Cause by the deadline stated above, this case may be subject, without further notice, to dismissal without prejudice by District Judge Laurie Smith Camp.

DATED this 30th day of January, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge